

**CITY OF MILWAUKIE
CITY COUNCIL WORK SESSION
DECEMBER 17, 1996**

Mayor Lomnicki called the work session to order at 4:45 p.m. in the second floor conference room in City Hall.

Present were Councilmembers Schreiber, Kappa, and Trotter; and Councilor-elect Tomei.

Also present: Dan Bartlett, City Manager; Charlene Richards, Assistant to the City Manager; Angus Anderson, Finance Director; Jim Brink, City Engineer; and Rafael Cruz, Civil Engineer; and Paula Mishaga, Senior Librarian.

Information Sharing

Several Councilmembers indicated they had questions about agenda item VI.D -- *Fire Administrative Services and Battalion Chief Services Agreements*.

Councilmember Kappa discussed section 5.0 -- *Integrated Chain of Command and Supervision* -- in the draft Fire and Life Safety Administrative Services agreement. He asked why this section was necessary. **Bartlett** said this is the operating procedure for mutual aid and incident command. If Council approves these agreements, fire response planning by the three departments will be integrated, and we will no longer operate under mutual aid.

Mayor Lomnicki said this proposal was more than hiring a part time chief. **Bartlett** said the first agreement was for hiring the chief, and the second agreement being proposed is for functionally operating the three departments as one. If the City Council approves the battalion chief model, there will be integrated planning with a total of seven chief officers.

Councilmember Kappa expressed the opinion that the oversight committee should review the battalion chief agreement, and City Council should not make a decision at this time. He asked if Milwaukie's officers were eligible for the battalion chief position. **Bartlett** said the City's captains would be eligible for battalion chief, and he discussed a hiring process scenario. The battalion chief supervises daily operations and ensures daily work assignments are done. The other option would be to pay the District \$90,000 to provide the battalion chief position.

Councilmember Trotter said one of the recommendations was to try such an agreement on a trial basis.

Councilmember Schreiber observed the proposed agreements were similar to others the City has entered into, and problems can be addressed.

Councilmember Kappa maintained this was a discussion of transferring a major portion of what cities do, and he was concerned about getting to a point in the transition where it would be very difficult to withdraw. He recommended giving the issue of the battalion chief to the oversight committee.

Councilmember Trotter said the proposed agreement follows Milwaukie firefighters' recommendation to Council. He felt, however, there should be a clause regarding a 30-day written notice of desire to terminate similar to the Chief's agreement. **Bartlett** said all talks were about a 30-day notification period.

Councilmember Trotter discussed the meeting frequency of the oversight committee, and **Councilmember Kappa** felt it should be on a monthly basis.

Mayor Lomnicki said these agreements were more extensive than he thought they would be. He understood the City was hiring a professional fire chief but not a mid-management battalion chief position. We had talked about making operations among the three departments more efficient.

Councilmember Schreiber said it was clear in her mind that consolidation would take place at some point.

Councilmember Trotter reiterated this was an interim step and in line with recommendations from both Milwaukie Fire Department personnel and Swanson. He supported signing the agreements with the knowledge there would be an opportunity for review. He suggested that Milwaukie's battalion chief have a position on the oversight committee.

Councilmember Kappa agreed that would give the City an opportunity to get concerns into the process and to the oversight committee. He felt the oversight committee should discuss the structure of the board in the event there was a full merger. **Councilmember Trotter** commented he thought the oversight committee would only deal with the intergovernmental agreement issues.

Councilmember Kappa said there needs to be public input before consolidation takes place. **Mayor Lomnicki** said he would like to see it go to a vote of the people.

Councilmember Trotter said these two agreements give the City an opportunity to gather information and explore the feasibility of the endeavor. If concerns do arise, nothing has been lost, and a little money will have been saved.

Mayor Lomnicki was concerned the proposed agreement made consolidation seem inevitable.

Councilmember Kappa agreed with the Mayor's remark. He felt things were moving too quickly and suggested the oversight committee look at the situation for a year.

Councilmember Schreiber pointed out the Milwaukie firefighters came forward with a recommendation and expressed their concerns.

Mayor Lomnicki said he had not heard before that Milwaukie would hire a mid-level management position.

Councilmember Trotter pointed out, in order to hire a full-time incident commander, there would need to be some management responsibilities. Hiring a battalion chief from another organization would be very expensive.

Councilmember Schreiber supported Kappa's suggestion of battalion chief positions on the oversight committee.

Councilmember Kappa said there were cost effective measures in these agreements, but he felt citizens needed to give their input. **Councilmember Trotter** stated these agreements, with 30-day opt out periods, provide control to the City while information is being gathered to provide the citizens.

Bartlett felt Councilmember Trotter's solution was good in bringing the clearer language regarding termination forward to the second agreement.

Councilmember Kappa said he wanted the battalion chief on the oversight committee.

School Trip Safety Program Update

Cruz presented the staff report on the flashing yellow signals project. Current estimates indicate the installation process is about a month ahead of schedule. He discussed construction options which included buying directly from the City of Portland's signal head supplier or bidding the entire project.

Both Milwaukie and Hector Campbell Elementary Schools have met with their respective task groups and principals. The design is 95% complete, and the bid documents are 75% - 80% done. He discussed the signal control options which were to either use the City of Portland or for the City of Milwaukie to have its own if the current system expands.

Councilmember Trotter asked the cost to the City of Milwaukie if it were to install its own signal control system. **Cruz** said the City would need a dedicated phone line, computer, and staff person to program the computer. The total cost would probably be about \$2,000.

Councilmember Trotter asked if the system would be expandable. **Brink** recommended keeping the signal program with the City of Portland. The current annual cost is about \$300, and any program increases will be relatively small. The City of Portland has an expert on staff to correct any system problems.

Councilmember Kappa asked how changes to school schedules were handled. **Brink** said a certain number of occasions or changes are included in the \$300 fee. He added changes could be handled at a relatively small cost.

Councilmember Trotter observed there was a speed up in the 32nd Avenue flashing light installation and asked if anything could be done to complete the current projects earlier. **Cruz** said the 32nd Avenue installation was a special situation. **Bartlett** added if the City goes through the City of Portland, Milwaukie could probably get a good deal and not have to go through the entire bid process.

Councilmember Trotter said he would really like to see the program in operation before the end of the school year.

Councilmember Kappa wanted to make sure the schools and pedestrians understood these devices are a warning and do not assure that vehicles will stop.

Councilmember Kappa said he did not see any information on raised crosswalks in the staff report. **Cruz** said raised crosswalks are part of the Neighborhood Traffic Management Program that will be presented to the City Council at a later date. **Councilmember Trotter** commented the criteria still needs to be developed.

Bartlett said the project cost is about \$37,000, and staff needs direction on whether to proceed with the project and go out for bids or work with the City of Portland.

Councilmember Schreiber said the flashing yellow signal project was the request of one Councilor, and staff is presenting the requested report. She asked about the timeline and if other projects would be postponed to fund this one. **Bartlett** said the \$37,000 for the flashing yellow signal projects would come from the street contingency fund.

Brink said each pedestrian safety task group identified flashing yellow beacons in their preliminary work. These lights seem to offer the most value for the money spent, and staff recommends proceeding with the installation process.

Tomei asked if staff based its recommendation on the effectiveness of the flashing yellow beacons. **Brink** responded each school asked for them, and he felt the Neighborhood District Associations were in favor of their installation also.

Councilmember Schreiber said she was concerned about running out of contingency funds while trying to meet the expectations of the task forces.

Mayor Lomnicki asked if City Council would have to give direction during the regular session. **Bartlett** responded City Council would give direction in the regular session when the bid award is made.

Mayor Lomnicki said staff needs to know if it has a “green light” to go ahead with the bid process, and City Council will give final approval.

Tomei commented the recommendation did not seem to be based on any scientific evidence. **Brink** said on high volume streets in the City of Portland there is evidence to support the case that flashing signals have attained 85 percentile speeds. **Cruz** added there will be counts before and after installation.

It was City Council consensus to move forward with the bid process for flashing yellow beacons.

Library Budget and Hours

Richards presented the staff report on financial conditions and possible cutbacks in services at the Ledding Library. The county library levy will end in June 1997, and she discussed the possible impacts of Measure 47. She presented the three possible scenarios that included reduction in FTEs and hours open.

She discussed the importance of maintaining circulation since it is the basis of county levy funding. If the county levy fails several times, the cutback will be very severe. The City wishes to give Library employees 30-days' notice of possible layoffs.

Councilmember Schreiber asked if there had been any discussion of library membership fees. **Bartlett** said under Measure 47, that type of action would require a vote. The membership fee concept has been discussed as an option if the March levy fails, and each city can go out on its own for such a fee. The Board of County Commissioners have basically agreed to the March election alternative. If the March levy fails, libraries may have to go 18 - 30 months without funding. He discussed actions taken by other area libraries.

Councilmember Kappa said 50% of the eligible voters must vote in the March election. He commented the libraries could be part of the education funding piece. **Bartlett** said the Board of Commissioners discussed a May election in order to get a higher voter turnout but determined the matter should be decided as soon as possible.

Councilmember Kappa asked if Milwaukie could go out on its own with a levy. **Bartlett** said a 50% voter turnout would be difficult and added that had happened only one out of six times in the County.

Mayor Lomnicki commented chances of passage are greater if the number of voters is restricted. He asked if something could be put together for the May election if the March measure failed.

Councilmember Kappa said he was in favor of going with the County.

Bartlett said staff needed direction on whether to follow through with scenario #1 that included reducing library staff by 4.25 FTE, generally limiting the hours open Monday through Saturday, and closing on Sunday.

Mishaga said the library needs to cut whether the serial levy passes or not. The public will not understand if cuts are made after the serial levy passes.

Richards said we must keep Measure 47 library impacts in mind. **Councilmember Trotter** said, for clarification, scenario #1 will be the best the City can do, and it is less than the current level.

Mayor Lomnicki said the public needs to know the library will be closed on Sunday, and if the County levy fails, services will be cut more.

Richards said staff looked at the hours of circulation to determine the best hours for customer service. Circulation must be kept up in order to get county funding.

Mayor Lomnicki said it must be clear to the public there will be a closure, and it is up to them as voters how deep the cuts will be.

Councilmember Kappa asked about a public information piece. **Bartlett** said the City Council will get information that will be consistent throughout the network.

Bartlett said, as budget officer, he needed to know if layoff notices should begin.

The group discussed calling for volunteers to help maintain service levels. **Richards** pointed out coverage and training to provide needed services at the circulation desk was essential, and it would be difficult to find this in a volunteer program. **Mishaga** added staff has already factored in more volunteer hours for scenario #1.

Bartlett said it was his responsibility to manage the City's long-term financial stability. He said he would draft employee letters to go out under his signature.

Councilmember Trotter said he would like some statement in the letter that incorporates Council's statements.

Storm Water Master Plan

Brink presented the staff report giving an update on the Surface Water Master Plan.

Gary Cook, Clackamas County Development Agency, presented an update on the Regional Facility (NCRFC). This project is associated with what is known as the regional park site. The plan includes an earthen berm to capture, detain, and release water at a controlled outlet. The goal is to control the amount of water going into Mt. Scott Creek and the industrial complex in the area of United Grocers on Lake Road. He discussed the soil contamination at the park site and the guidelines being prepared by DEQ for Southern Pacific's remediation efforts. **Cook** discussed the impact on the recreational facilities.

Councilmember Kappa asked what type of release mechanism would be used. **Cook** said it would be a remote control slide gate. As the creek gets higher, more water is held back.

Councilmember Farley said remediation was started about four years ago so children could have recreation areas. **Cook** said the solids have been remediated. He indicated he had not spoken with the Parks District and did not know its construction timelines.

Brink introduced other representatives at the work session: Ella Whelan, Clackamas County Department of Utilities; Jack Perry, City of Milwaukie Operations Supervisor; Tom Davis, Montgomery Watson; Peter Chapman; and Bob Roth, Johnson Creek Watershed Council. He indicated this presentation was an attempt to provide current thinking.

Davis presented background information on the study which began in May 1995 and is anticipated to be complete by March 1997. The study areas are Kellogg, Mt. Scott, and Johnson Creeks. The focus is on drainage, flood control, and water quality. The issues being considered are: protection of groundwater by getting off drywells and on storm sewers; upstream development driving downstream problems; compatibility with work already done on Johnson Creek; a regional plan developed to provide the backbone for solutions; a flexible document or plan that is flexible and can change over time; and water quality components including facilities and public education.

Councilmember Kappa asked if there would be any impacts to the Minthorn detention area near the Milwaukie MarketPlace. **Davis** said the flow can go west to Kellogg Creek, and he discussed further issues related to the potential light rail park-and-ride facility behind the MarketPlace.

Davis discussed alternatives A, B, and C. Alternative A relied solely on increasing pipe and channel sizes to relieve flooding. Alternative B recommends optimal detention storage which decreases peak flows. Alternative C is similar to B, but relies on fewer detention facilities. **Davis** recommended alternative B with C as a contingency.

Councilmember Farley asked how the flood plain impacts water quality. **Davis** said flood problems happen infrequently but at high levels. The regional facility may offer several opportunities to temporarily detain surface water. Riparian repair can also do much to improve water quality. He discussed the possibility of a water quality facility at each detention facility.

Councilmember Kappa asked what type of apparatus could be used to clean oil from surface water. **Davis** said there were several methods including: trapped catchbasins, street sweeping techniques, and oil/water separators or baffles. He discussed converting ditches to vegetated swails.

Councilmember Kappa asked about upstream water quality near Happy Valley. **Davis** said he felt erosion control was critical in the Happy Valley area.

Davis discussed benefits and costs of the plan. He also indicated a model of current peak surface water flows against a model using a regional facility. The figures are based on build-out to existing zoning.

Councilmember Kappa said it seemed the retention facilities could have multiple benefits. **Davis** said the wetland area could include a lot of habitat, but no active recreation areas have been included.

Bartlett said there are several processes that need to take place, and there are those which the City can review independently inside its own boundaries. Milwaukie City Council established the goal of developing a multi-year financing plan. Other elements have truly regional, multi-party benefits. He added this was a mid-point briefing. The current packages can be funded in the CIP, but not this one. The operations supervisors are being asked what can be done with existing cash flows.

Mayor Lomnicki adjourned the work session at 7:50 p.m.

Pat DuVal, City Recorder